

1 Michael L. Rodenbaugh (SBN 179059)  
2 Rodenbaugh Law  
3 548 Market Street, Box 55819  
4 San Francisco, CA 94104  
5 Phone: (415) 738-8087

6 Matthew J. Ladenheim (*pro hac vice*)  
7 Jonathan M. Hines (*pro hac vice*)  
8 TREGO, HINES & LADENHEIM, PLLC  
9 10224 Hickorywood Hill Ave., Suite 202  
10 Huntersville, NC 28078  
11 Phone: (704) 599-8911

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13  
14 **IN THE UNITED STATES DISTRICT COURT**  
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 U.S. COTTON, LLC

17 Plaintiff  
18 vs.  
19 A TO Z BEAUTY, LLC D/B/A  
20 CLIGANIC  
21 Defendant.

22 Civil Action No.: 4:21-cv-02141-HSG

23  
24 **STIPULATION AND ORDER**  
25 **REQUESTING RELIEF FROM CASE**  
26 **DEADLINES AND SCHEDULING OF**  
27 **CASE MANAGEMENT CONFERENCE**

28 Pursuant to Civil Local Rule 16-2(d) and 7-12, and further to the telephonic conference  
29 with the Court on December 16, 2021 (ECF No. 46), and to the Court's order dated January 8,  
30 2022 (ECF No. 52), Defendant A To Z Beauty, LLC d/b/a Cliganic ("Cliganic") and Plaintiff  
31 U.S. Cotton, LLC ("USC"), hereby stipulate and respectfully request that the Court stay all  
32 deadlines in this matter for an additional 30 days, including continuance of all deadlines

1 currently established by this Court's Amended Scheduling Order (ECF No. 52), to provide the  
 2 parties opportunity to complete the agreed settlement of this matter. The parties and counsel  
 3 believe this will be the final extension necessary. The parties now have agreed to all terms of a  
 4 settlement agreement that will result in voluntary dismissal of this case. However, the agreement  
 5 calls for the provision by Defendant to Plaintiff of samples of certain products prior to final  
 6 execution of the agreement. Because of shipping delays and logistic challenges, the parties need  
 7 another few weeks for Defendant to ship these products to Plaintiff. Counsel for both parties  
 8 expect this process to be complete within 30 days.

11 There have been three prior stipulations and resulting orders (ECF No. 40, 50, 52)  
 12 affecting the court's scheduling orders.

14 The parties and their counsel maintain there is good cause for this extension as the party  
 15 representatives have reached a final written settlement in principle, and they intend to promptly  
 16 and completely resolve this matter without further undue litigation cost or burden to the Court.

17 In the event the matter is not dismissed by March 7, 2022, the parties propose the  
 18 following, amended schedule at this time:

EVENT	PROPOSED SCHEDULE
Rule 26(a)(1) Initial Disclosures	Complete
Disclosure of Asserted Claims and Infringement Contentions by Plaintiff (Patent L.R. 3-1 & 3-2)	Complete
Invalidity Contentions by Defendant (Patent L.R. 3-3 and 3-4)	Complete
Exchange of Proposed Terms for Claim Construction (Patent L.R. 4-1)	Complete

1	Exchange of Preliminary Constructions and	March 14, 2022
2	Extrinsic Evidence (Patent L.R. 4-2)	
3	Damages Contentions by Plaintiff (Patent L.R. 3-	March 21, 2022
4	8)	
5	Joint Claim Construction and Prehearing	March 28, 2022
6	Statement and Expert Reports for Claim	
7	Construction (Patent L.R. 4-3)	
8	Responsive Damages Contentions by Defendant	April 11, 2022
9	(Patent L.R. 3-9)	
10	Last Day to Amend Pleadings	April 25, 2022
11	Completion of Claim Construction Discovery	April 25, 2022
12	(Patent L.R. 4-4)	
13	Opening Claim Construction Brief by Plaintiff	May 9, 2022
14	(Patent L.R. 4-5(a))	
15	Responsive Claim Construction Brief by	May 23, 2022
16	Defendant (Patent L.R. 4-5(b))	
17	Reply Claim Construction Brief by Plaintiff	May 30, 2022
18	(Patent L.R. 4-5(c))	
19	Claim Construction Hearing	June 10, 2022 at 2p.m. or at the
20		Court's convenience
21	Issuance of Claim Construction/Pretrial Order	At the convenience of the Court
22	["PO"]	

21  
22 Respectfully submitted,

23 **RODENBAUGH LAW**

24 Dated: February 7, 2022

25 By: 

26 Michael L. Rodenbaugh (SBN 179059)  
27 Rodenbaugh Law

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8 Huntersville, NC 28078  
9 Phone: 704-599-8911

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12 *Attorneys for Plaintiff*  
13 *U.S. Cotton, LLC*

14 Dated: February 7, 2022

15 Respectfully submitted,

16 By: /s/ Erik R. Fuehrer  
17 Erik R. Fuehrer (Bar No. 252578)  
18 **DLA PIPER LLP (US)**  
19 2000 University Avenue  
East Palo Alto, CA 94303  
Tel: 650.833.2000  
Fax: 650.833.2001  
erik.fuehrer@us.dlapiper.com

20 Michael G. Strapp (*pro hac vice*)  
21 Christopher Deck (*pro hac vice*)  
22 DLA PIPER LLP (US)  
23 33 Arch Street, 26th Floor  
Boston, MA 02110-1447  
24 Tel: 617.406.6000  
Fax: 617.406.6100  
michael.strapp@us.dlapiper.com  
christopher.deck@us.dlapiper.com

25  
26 Attorneys for Defendant  
27 A TO Z BEAUTY, LLC D/B/A CLIGANIC

1 PURSUANT TO STIPULATION, IT IS SO ORDERED,

2   
3 District Judge Haywood S. Gill Jr. 2/8/2022 Date